

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KARIM ANNABI

Prose Plaintiff,

vs.

NEW YORK UNIVERSITY

Defendant.

**EXHIBITS  
MEMORANDUM OF LAW IN  
OPPOSITION TO MOTION TO DISMISS**

**Case No. 1:22-CV-03795 (LJL)**

**EXHIBIT 1**

(Concept Summary judging criteria (in bold) versus responses side by side. )

**Teams successful in gaining admission to the NYU Entrepreneurs Challenge - all are world positive.**

**The Concept Summary is a high-level document. It's not meant to be all-encompassing. Teams accepted into the program will be required to describe their ventures in far greater detail at a later stage.**

**Your Concept Summary must answer three critical questions:**

**1. Who will care whether or not this venture exists? (customers/market)**

Activate allocates all profits to 100 progressive celebrity (with billions of social media followers) foundations and widely supported benevolent organisations, representing children, veterans, teachers, etc..

The social media advertising market had global revenues of \$156B in 2021, and is expected to grow to \$230B in 2025. Social media usage has grown steadily and is projected to reach 4.4B users by 2025. Facebook and Instagram currently lead the way with 1.8B and 1B users, respectively

**2. Why will they care? (value proposition/competition)**

... making them all de facto stakeholders. Using this love based business model, Activate is able to align moral and financial incentives in society, creating massive goodwill, publicity and user adoption - all leading to rising profits, pay-outs and prosperity.

Facebook is making superficial attempts at addressing societal problems, mostly by treating the symptoms through tools such as "Drives," that allow users to create food banks in the community, or

with mental health referral guides. The bottom line remains the main priority. Even social enterprises are not committed enough in their principles, nor do they have a global unifying ethos and strategy. Most act only locally or are tapping into the demand for ethical and sustainable products to retain the majority of the profits for their founders and investors. No one is surrendering the individual profit motive, or side stepping early investors, and going to market in a compelling way with the interests of the people and the planet at the forefront; certainly none are doing it with a two pronged approach, at the individual and society level.

### **3. How do you know? (research insights)**

Hundreds of people across many key demographics were interviewed. Proof of concept, user adoption and future profit allocation acceptance testing were performed successfully. For example, in a “closed” experiment in an African village, Activate shared its strategy to two individuals, resulting in an exponential increase in membership to 100 in that village within a few days, and 300 globally.

**Demonstrate a deep understanding of your industry, market, and customer based on extensive secondary and primary research you have conducted. To do this, you must:**

- **Explain why customers will find your product or service significantly better than your competitors’ and/or existing options.**

Activate will offer traditional communication and networking tools within productive contexts. As an example, members will be able to schedule their time, set tasks and goals with friends and influencers, sharing best practices for success in a fun, dynamic and rewarding way. Members will follow habits and routines that lead to the success that others flaunt or benefit from, and not simply “like” the end result represented in a picture or video, such as in the soul crushing Instagram model. No other platform offers scrolling through a customizable influencer schedule supermarket, freely mixing and matching Dwayne Johnson’s fitness and Tyler Swift’s song writing habits and goals (both prospective Activate stakeholders). Activate also allows influencers to create stronger relationships with their fans that can be monetized, while separating the influencer wheat from the chaff.

- **Have developed at least an early, low-fidelity prototype – unless your concept is centered around a technology for which a prototype would require a particularly extensive time investment.**

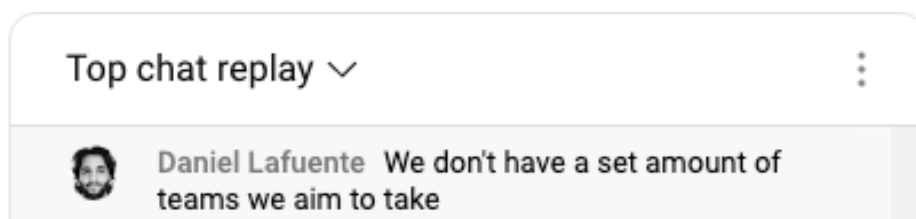
The next step for Activate is to update the website to convey its message and measure adoption.

- **Articulate critical risks that you have identified and how you will mitigate them.**

If the media shuns Activate early on, contingency plans, and funds, are available to create advertising campaigns and public awareness. Activate does not view this expense as a cost of business, but as a moral responsibility.”

## **EXHIBIT 2**

(Youtube Challenge Information Session Chat Transcript, presumed to be from 2020)



### EXHIBIT 3

(Berkley Center start-up advising sessions on offer)


## Essential Stuff

Frameworks, methodologies, and tools for imagining and designing fresh new ideas.

- Disruptive Thinking
- Design Research
- Synthesizing Data
- Generating Insights
- Customer Interviews
- Value Propositions
- Measuring Social Impact
- Prototyping
- Concept Testing
- Business Model Innovation
- Go-to-Market Strategy
- Branding Strategies
- Raising Capital
- Operations Planning
- Startup Financials
- Explainer Videos
- Presentation Skills
- Wire Framing
- App Design
- B2B Sales
- Social Media Marketing
- Intellectual Property

NYU STERN  
W. R. Berkley Innovation Labs  
IDEAS NEVER SLEEP

### Exhibit 4

 Daniel Lafuente Coaching / access to prior winners are open to all in the competition...and even if you don't make it, you can get coaching through the Berkley Center's help desks/startup advising services

## Exhibit 5

<https://www.stern.nyu.edu/portal-partners/alumni/alumni-resources-benefits>

NYU STERN

Experience Stern  
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Degrees & Executive Education

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Sponsoring, Organizational Collaborations

Alumni | Alumni Resources & Benefits

Alumni Events
Alumni Resources & Benefits
Alumni News & Profiles
Stay Connected
Giving to Stern

Home / Portal / Partners / Alumni / Alumni Resources & Benefits

NYU STERN ALUMNI  
**Alumni Resources & Benefits**  
 As graduates of NYU Stern, alumni have access to a variety of resources including career support, lifelong learning, and social networking opportunities.

**Alumni Resources**

Alumni can continue to use their NYU Stern email, request diplomas and transcripts, access discounts, wifi, facilities, and more.

SEE RESOURCES

**Career Support**

NYU Stern's Career Center for Working Professionals offers all alumni support at each stage of their career.

LEARN MORE

**Stern Network**

Alumni can connect with each other and provide career insights for students through Stern Network, an online networking and mentorship platform.

LEARN MORE

**Lifelong Learning**

To support lifelong learning, Stern alumni have access to discounted Executive Education courses, Online Certificates, and a video library.

LEARN MORE

**Entrepreneurship**

Alumni can explore entrepreneurship support at Stern through the W. R. Berkley Innovation Labs and the Endless Frontier Labs.


LEARN MORE


## Entrepreneurship

Alumni can explore entrepreneurship support at Stern through the W. R. Berkley Innovation Labs and the Endless Frontier Labs.

LEARN MORE

## EXHIBIT 6

 **National Library of Medicine**  
*National Center for Biotechnology Information*



Advanced

Save

Email

> [Risk Anal.](#) 2014 Dec;34(12):2080-8. doi: 10.1111/risa.12232. Epub 2014 Jun 12.

### Is tattooing a risk factor for adolescents' criminal behavior? Empirical evidence from an administrative data set of juvenile detainees in Taiwan

Pei-An Liao <sup>1</sup>, Hung-Hao Chang, Yi-Ju Su

Affiliations + expand

PMID: 25598482 DOI: [10.1111/risa.12232](#)

#### Abstract

Juvenile crime affects not only the victims of the crime but also the delinquents' future. How to prevent adolescent criminal behavior has become an important public policy issue. This study contributes to this interesting issue by examining the relationship between tattooing and adolescents' criminal behavior. In particular, this study investigates whether or not having a tattoo/tattoos is connected to the incidence of various criminal activities, including: larceny, robbery, fraud, assault, drug use, and homicide. A unique sample of 973 juvenile detainees drawn from the administrative profiles in Taiwan and the coarsened exact matching method were utilized. Results show that compared to their nontattooed counterparts, tattooed juvenile detainees were significantly more likely to commit fraud, assault, drug abuse, and homicide by 3%, 13%, 9%, and 9%, respectively. In contrast, tattooing was not significantly associated with larceny or robbery. From a policy perspective, given the significant link between tattooing and criminal behavior, the presence of a tattoo in adolescents may serve as a valuable indicator regarding adolescents' high probability of committing crimes.

## EXHIBIT 7

### NYU Entrepreneurs Challenge Kick-Off - 12 PM



Berkley Center for Entrepreneurship at NYU Stern

96 subscribers

Sub

534 views Streamed 2 years ago

Show more



**Yasmin Yusuff** Do we have to hunt for teammates? Because I am already a single member LLC and would like to keep it that way for the moment.



**Berkley Center for Entrepreneurship at NYU Stern**

@Yasmin Yusuff No, not if you don't want to. Although we do strongly encourage Challenge participants to have team members, it isn't mandatory.



**Lanesha Williams** Is there a minimum or maximum amount of team members?



**Daniel Lafuente** There is no minimum but we encourage solo founders to find teammates; as for maximum, no limit either!





Answer from Associate Director Punzalan (top left): "From Cynthia and my end, Yes, definitely you can."



Answer from Associate Director Punzalan (top left) – Answer: "The minimum is one. There is no maximum"

## EXHIBIT 8



## ENTREPRENEURIAL INSTITUTE

## NYU Entrepreneurial Institute Wins Two GCEC Awards

Posted By [De-Ann Abraham](#) on Tue, Oct 26, 2021

Share [Twitter](#) [Facebook](#) [LinkedIn](#)

populations. The Institute received this award in recognition of our [Female Founders Fellowship](#). The Fellowship provides community, as well as extensive training, mentorship, and networking opportunities to student entrepreneurs at NYU who are committed to advancing gender equity in entrepreneurship. Fellows can also apply for student loan alleviation grants of between \$5,000-\$50,000 to help ease the financial burden of building a startup (becoming Mark & Debra Leslie Fellows), enabling more NYU founders to pursue their ventures *after* graduation. All Fellows are encouraged to join the Accelerator Series described above through an invitation to participate in the Startup Sprint. They are also guaranteed an interview for a spot in our highly competitive NYU Summer Launchpad accelerator. In addition to these perks, Fellows are invited to participate in monthly female founder's community events, an annual full-day Female Founders Forum, and gain access to a network of 120 external mentors and investors. Largely due to this and similar initiatives, over 60% of the ventures we now support are led by a woman founder, and over 70% are led by a person of color. To add to these accomplishments, 52% of the investments made by our Innovation Venture Fund (managed by the Institute) supported ventures led by women founders, with 35% of them having a woman CEO.

**"Juggling academics while working on a start-up can be tough. But these meetings put just enough pressure on me to keep going without feeling super stressed." —Anastasia Vlasova**





NEW YORK UNIVERSITY

NYU Female Founders Fellowship Application  
Due April 24th, 2023 at 6pm ET

**Q8. QUESTION SECTION: ABOUT YOU** (NOTE: The Female Founders Fellowship is for individual humans. This is not a team application. If multiple members of your startup are interested in participating in the fellowship, EACH interested individual must complete their own unique application.)

ALUMNI

## TALEA and Female Founders Forum: Making Space for Women

Posted By [Ellie Gershenwald](#) on Wed, Apr 27, 2022

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### 5 Most Popular

Paige Anderson, HealthBoxed:  
Paving a Path for Corporate  
Wellness

NYU Alumni Entrepreneurs,  
Investors Make Forbes' 2023 30  
Under 30 List

Phantila Phataraprasit, Sabai  
Design: Building the Future of  
Sustainable Furniture

## The Female Founders Fellowship at NYU

Empowering women entrepreneurs to bring their ventures to life



by Staff Writer  
August 2, 2022

Thanks to the team at the [NYU Entrepreneurial Institute](#), women entrepreneurs at NYU can access an array of resources and support through the Female Founders Fellowship. The Fellowship provides women founders and anyone who supports gender equity with the community, network, and funding they need to start building successful businesses. The Fellowship upholds one primary goal: to cultivate an empowering and inclusive environment for women entrepreneurs.

ENTREPRENEURIAL INSTITUTE

## NYU Female Founders Fellowship Launches with 12 Fellows

Posted By [Emily Baum](#) on Wed, Mar 3, 2021

Share [t](#) [f](#) [in](#)



### 5 Most Popular

Scale Your Venture Through the NYU Startup Sprint & Summer Launchpad

NYU Startup Sprint & Summer Launchpad - Which One Is for You?

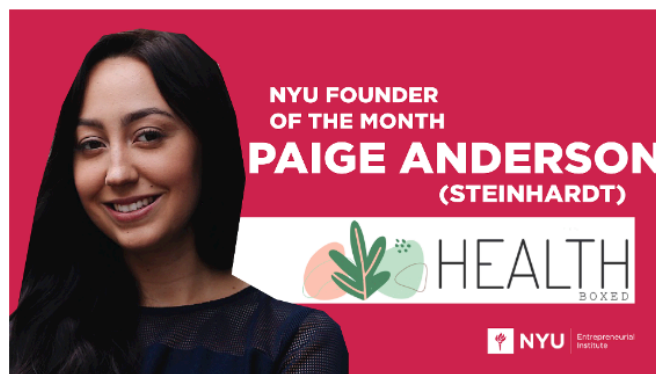
Announcing the Inaugural Cohort of the Tech Venture Accelerator

Inaugural Tech Venture Accelerator Launches to Advance Research

ALUMNI

## Paige Anderson, HealthBoxed: I for Corporate Wellness

Posted By [Ashley Garrett](#) on Fri, Dec 30, 2022



## Meet the NYU Female Founders Fellows

We're pleased to introduce the NYU Female Founders Fellows!



**Caitlin Ellen**  
(Stern Langone '21)  
Co-Founder & CEO of Sabai Design



**Jade Kearney**  
**Mark & Debra Leslie Fellow**  
(Steinhardt '20)  
Co-Founder & CEO of She Matters



**Laura Rocha**  
**Mark & Debra Leslie Fellow**  
(Wagner '20)  
Co-Founder & CEO of Dathic



**Phantila Phataraprasit**  
(Law '20)  
Co-Founder & COO of Sabai Design



**Rina Patel**  
(Gallatin '20)  
Founder & CEO of She



**Sutton King**  
**Mark & Debra Leslie Fellow**  
(School of Global Public Health '20)  
Co-Founder & COO of ShockTalk



**Paige Anderson**  
(Steinhardt '22)  
Founder of HealthBoxed



**Ann Andrews**  
(Stern '22)  
Founder & CEO of Techfunic



**Thanisha Parlage**  
(Wagner '20)  
Founder & CEO of KinNect Careers



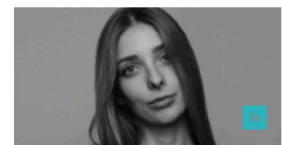
**Nikki Powers**  
**Mark & Debra Leslie Fellow**  
(Stern '21)  
Founder of Nourish & Refine



**Ashley Xie**  
(Steinhardt '20)  
Co-Founder & CEO of Rooted Fare



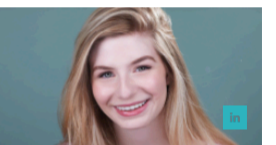
**Adriana Teresa Letorney**  
**Mark & Debra Leslie Fellow**  
(GSAS '21)  
Founder & CEO of Visura



**Aleksandra Medina**  
(Abu Dhabi '21)  
Co-founder & CPO of Frich



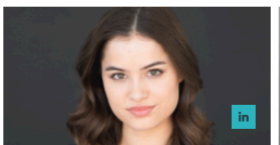
**Ayman Mukerji**  
(Silver '21)  
Founder of Jivika



**Caylin Waller**  
**Mark & Debra Leslie Fellow**  
(Steinhardt '22)  
CEO & Co-Founder of Theatre Advocacy Project (TAP)



**Dessa Shepherd**  
**Mark & Debra Leslie Fellow**  
(Steinhardt '19)  
CEO & Founder of VisionVoicelnc.



**Tinsley Maier**  
(Gallatin '20)  
Co-founder & CPO of Edgi Learning



**Caroline Catherine Fitzgerald**  
(SPS '22)  
Founder & CEO of GOALS

**Caroline Vasquez Huber**

(Stern '23)  
Co-Founder of Cozier

**Drew Lederman**

(Tisch '20)  
Founder & CEO of Resist Nutrition

**Lindsay Perper**

(Stern '23)  
Founder & CEO of Shop Rodeo

**Mikaila Roncevich**

(Gallatin '21)  
Founder & CEO of Kaila Katherine

6/the-top-10-universities-with-the-most-vc-back-female-entrepreneurs/?sh=4ee94e8d5d05

**Forbes**

10. University of Texas

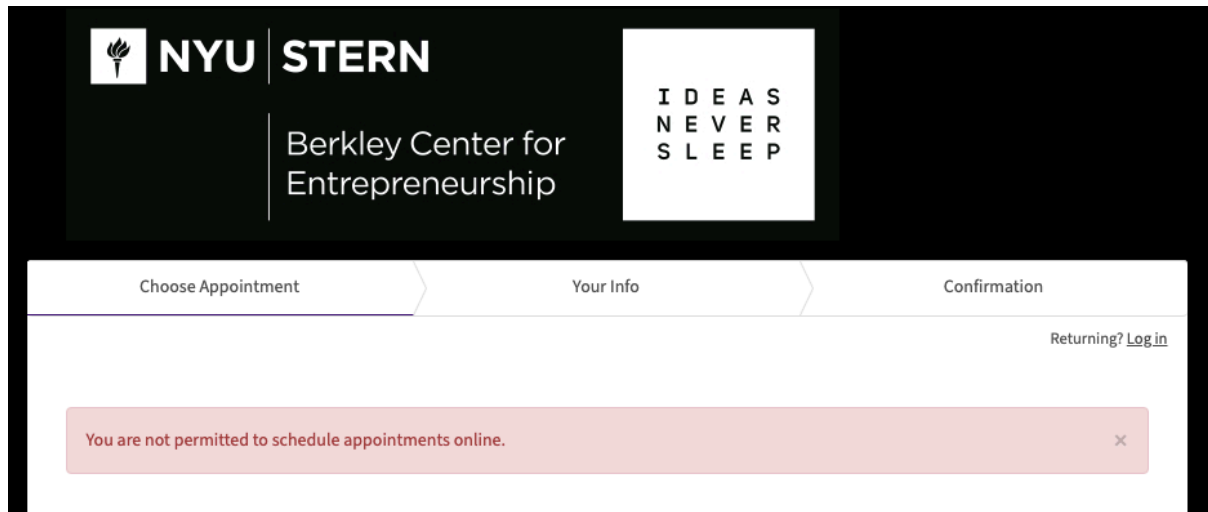
(Source: PitchBook Data, Inc.)

However, to fully understand the relative gender inequality at each school, the total number of female entrepreneurs must be considered within the context of the total number of entrepreneurs at each institution. When this analysis is performed, the rankings shift, as shown below.

University	Total Entrepreneurs	Female Entrepreneurs	% Female
6. New York Univ.	379	93	25%
8. Yale University	504	79	16%
1. Stanford University	1,178	162	14%
2. Harvard University	900	121	13%
4. Univ. of Penn.	838	112	13%
5. Cornell University	750	96	13%
10. Univ. of Texas	636	76	12%
9. Univ. of Michigan	712	78	11%
3. UC Berkeley	1,137	118	10%
7. MIT	941	82	9%

## EXHIBIT 9

Proof of Plaintiff Restricted Access dated February 17, 2023



## EXHIBIT 10

(2022-2023 Challenge Contest Marketing Dated Feb 23, 2023)

### NYU ENTREPRENEURS CHALLENGE

The Entrepreneurs Challenge has long been the premier initiative for nurturing top entrepreneurial talent at NYU. Part startup accelerator and part venture competition, this program is open to the global NYU community.

- ✓ All NYU students, alumni, researchers, faculty and staff
- ✓ Startups in the prototyping stages and beyond
- ✓ 25-35 teams accepted
- ✓ 8 months (Sep-May)
- ✓ Rigorous programming for founders needing structure and instruction
- ✓ Programming builds foundational startup skills and know-how
- ✓ One-on-one coaching
- ✓ Prototyping grants available
- ✓ Pro bono services from corporate sponsors
- ✓ Up to \$225K in seed funding
- ✓ November application deadline



**EXHIBIT 11**

<https://www.nyc.gov/site/census/get-involved/seamless-rules.page>

## Official Rules For The City of New York's "NYC Counts" Competition

**NO PURCHASE NECESSARY TO WIN. A PURCHASE DOES NOT INCREASE YOUR CHANCE OF WINNING. VOID WHERE PROHIBITED OR RESTRICTED.** By submitting an entry to the You Can Count on New York Competition you are agreeing to be bound by the following legal terms.

The NYC Counts Competition (the "Competition") will begin at 9:00 a.m. on Monday August 17, 2020 and end at 6:00 p.m. on Friday, September 25, 2020 ("Competition Period"). The Competition is sponsored by the New York City Mayor's Office of the Census 2020 a division of the City of New York's Mayor's Office ("Sponsor"). Multiple entries are not permitted. Creating multiple entries to enter will void all entries and disqualify the entrant. Participation is subject to all federal, state and local laws and regulations. Void where prohibited or restricted by law.

**ELIGIBILITY:** The Competition is open only to residents of New York City (the "Territory"), who are at least eighteen (18) years of age as of, August 17, 2020. The Competition and any web sites, web pages and advertisements relating thereto are intended for viewing only within the Territory. Entries received from persons residing outside of the Territory, or where restricted or prohibited by law, will be disqualified. To be eligible to enter the Competition, the Entrant (alternately, "You", "Your", or "Yourself") must meet the eligibility requirements described herein and have read and agreed to these Official Rules. The judges, and their immediate family (spouse, parents and step-parents, sibling and step-siblings, and children and step-children) and household members (people who share the same residence at least three (3) months out of the year) of each such judge are not eligible to participate and receive prizes. The Competition is subject to all applicable United States federal, state and local laws and regulations. Participation constitutes Your full and unconditional agreement to these Official Rules and Sponsor's decisions, which are final and binding in all matters related to the Competition. Winning a prize is contingent upon fulfilling all requirements set forth herein.

Limit one (1) entry per person. There may be more than one (1) entry per household. Subsequent entries will be disqualified. Starting on Friday August 28, 2020, a winner will be selected each week for the five (5) weeks of the Competition Period with two (2) winners being announced for the fifth (5th) week. To be eligible for each week's prize, see the time table for the entry periods below:

Entry Period Begins	Entry Period Ends	Winner Announced
August 17, 2020 at 9:00 am	August 24, 2020 at 8:59 am	August 28, 2020

Entry Period Begins	Entry Period Ends	Winner Announced
August 24, 2020 at 9:00 am	August 31, 2020 at 8:59 am	September 4, 2020
August 31, 2020 at 9:00 am	September 7, 2020 at 8:59 am	September 11, 2020
September 7, 2020 at 9:00 am	September 14, 2020 at 8:59 am	September 18, 2020
September 14, 2020 at 9:00 am	September 21, 2020 at 8:59 am	September 25, 2020

Entries are void if they are in whole or part illegible, incomplete, damaged, altered, counterfeit, obtained through fraud, or late. In the event of any dispute regarding the identity of a person submitting an on-line entry, the entry will be deemed submitted by the authorized e-mail account holder, which is defined for purposes of these Official Rules as the natural person who is assigned to an e-mail address by an Internet access provider, on-line service provider or other organization responsible for assigning e-mail addresses for the domain associated with the submitted e-mail address. A selected winner may be requested to provide the Sponsor with proof that the selected winner is the authorized account holder of the e-mail address associated with the winning entry. If a dispute cannot be resolved, the entry will be deemed ineligible.

**NO PURCHASE NECESSARY.** A purchase will not increase Your chances of winning. Official Rules are also posted [here](#).

**HOW TO ENTER:** NO PURCHASE NECESSARY TO ENTER OR WIN. To enter the Competition, complete the Census at [www.my2020census.gov](http://www.my2020census.gov) on Your computer or smartphone. Once You have completed the Census, You will see a confirmation page. You must have completed the Census on or after August 17, 2020. Take a photo or screenshot of the confirmation screen. Go to [www.nyc.gov/censuscontest](http://www.nyc.gov/censuscontest) and complete the entry form (the "Submission"), including a brief description (250 words or less) of what winning this contest would mean to You. Submissions must be received during the Competition Period. Participation in the Competition requires that the Submission must adhere to the Competition requirements described below.

**JUDGING PERIOD:** Judging Periods will run every Monday through Friday during the competition Period beginning on August 24, 2020 and ending on September 25, 2020. Judging will take place in stages and be conducted by various employees of NYC Census 2020:

- **Review submissions and recommend finalists:** 6 NYC Census 2020 employees

- **Vet finalists:** a committee of 4 employees from various NYC Census 2020 teams
- **Decide winner each week:** Final selections by Director Julie Menin

Sponsor will select one (1) winning Entry (the "Winner") per week for the first four (4) weeks and two (2) winners for the fifth (5th) week during the Competition Period in their sole discretion from among all of the entries. Submissions will be evaluated on a rolling basis during the Competition Period. A Winner will be selected for each week of the Competition Period and two (2) winners for the fifth (5th) week, totaling six (6) Winners. If Your Submission is not selected as a Winner during the week You submitted it, Your Submission will still be considered for selection as a Winner for each subsequent week of the Competition Period.

All entries will be judged based on the following criteria, in the sole discretion of the panel of judges:

- (a) appeal of the subject matter of the written Submission; and
- (b) geographical diversity and borough diversity

The Submissions with the highest overall scores will be the Winners. In the event of a tie, Winners will be selected based on the criteria described in (a) and then (b).

**WINNER SELECTION:** ALL POTENTIAL WINNERS ARE SUBJECT TO VERIFICATION BY SPONSOR WHOSE DECISIONS ARE FINAL AND BINDING IN ALL MATTERS RELATED TO THE COMPETITION.

Beginning on or about August 28, 2020 the first potential Winner will be notified using the email account from which the entry was received. Every Friday thereafter, a new potential Winner will be notified. The potential Winner may be required to appear in additional promotional or advertising material and will be required to complete a release in association with these activities. If the potential Winner does not respond to NYC Mayor's Office of the Census 2020's notice or does not return any required appearance release within 24 hours, that potential Winner will be disqualified and the entry with the next highest number of judges' votes will be selected as a potential winner in its place. Return of any notification email as "undeliverable" or failure to fully comply with these Official Rules will result in disqualification. In the event of disqualification of any potential Winner, the prize will be forfeited by that potential Winner and the panel of judges will select a new potential Winner. The Released Parties (as defined below) are not responsible for notifications that are misdirected, addresses that are no longer correct, or for any other reason beyond the control of the Released Parties. If such potential Winner cannot be contacted within a reasonable time period, if the potential Winner is ineligible, if any notification is returned undeliverable, or if the potential Winner otherwise fails to fully comply with these Official Rules, Sponsor may award the applicable prize to an alternate Winner who had the highest score remaining of the eligible entries.

By entering the Competition, You understand the provisions associated with the Competition should You be selected as the Winner and accept the prize as the Winner. Any potential Winner must grant permission to the Released Parties and their respective parent companies, affiliates, subsidiaries, advertising/promotional agencies to use his/her name and Submission, for promotional and publicity

purposes in any and all media now known or hereinafter devised, including without limitation, television, radio, print, and the Internet, in perpetuity without further compensation, unless prohibited by law. If a potential Winner fails to execute and return required releases or other requirements stated herein to the Released Parties within the allotted time period, that Entrant may be disqualified, in which case Sponsor will select as a replacement Winner, the next-highest ranked eligible Entrant who complies with all Competition rules and requirements, as determined by the Competition judges as detailed above.

### **THE PRIZE:**

The Winners will each receive a Seamless gift card in the amount of one thousand dollars (\$1,000.00). On or about Friday August 28, 2020, NYC Census 2020 will post the first potential Winner on [www.nyc.gov/censuscontest](http://www.nyc.gov/censuscontest). Thereafter, on every Friday during the Competition Period, a new Winner will be posted on [www.nyc.gov/censuscontest](http://www.nyc.gov/censuscontest).

The Winner's list may also be featured on official social media channels operated by the City of New York: [www.nyc.gov/socialmedia](http://www.nyc.gov/socialmedia).

No cash in lieu of prize. No substitution of prizes is permitted except by the Released Parties. Prize is not assignable or transferable. Limit one prize per person. If Winner cannot participate for any reason, Winner will forfeit the prize and NYC Mayor's Office of the Census 2020 may, at its option and in its sole discretion, select an alternate Winner or the prize may not be awarded. All of the Prize elements are subject to change and shall be determined by the Released Parties in their sole discretion and subject to their availability.

There is no Approximate Retail Value (ARV) of the Winning Prize. Any difference between stated value and actual value will not be awarded. Certain terms and restrictions, as determined by the Released Parties, may apply to Prizes. All specifics of the Prizes will be at the Released Parties' discretion. If a Winner cannot comply with these restrictions or any other portion of these Official Rules, the prize will be forfeited in its entirety and an alternate Winner will be chosen.

All federal, state and local income taxes on prize and gratuities are solely the responsibility of the Prize Winner. Payments to potential Prize Winner are subject to the express requirement that they submit to the Sponsor all documentation requested by the Sponsor in compliance with all applicable state, federal and local tax reporting and withholding guidelines. The Prize Winner is responsible for ensuring that he/she complies with all the applicable tax laws and filing requirements. If the Prize Winner fails to provide such documentation or comply with such laws, the prize may be forfeited and the Sponsor may, in its sole discretion, select an alternative potential Prize Winner.

**OWNERSHIP OF ENTRIES:** The City of New York does not claim any ownership rights in Your Submission. By making a Submission by any of the approved methods, You agree to be bound by these Official Rules and grant the Released Parties a non-exclusive, fully paid-up and royalty-free, worldwide license to use, modify, delete from, add to, publicly perform, publicly display, reproduce and

translate Your Submission, including without limitation the right to distribute all or part of Your Submission in any media formats through any media channels in perpetuity.

By submitting a Submission, You consent to the use, by the Released Parties, their affiliates, subsidiaries, parents, and licensees, of Your name, likeness, and image, in connection with the Competition and the Released Parties' related marketing activities, in any media or format now known or hereafter invented, in any and all locations, without any payment to or further approval from You. You agree that this consent is perpetual and cannot be revoked.

You agree that nothing in these Rules grants You a right or license to use the NYC Mayor's Office of Census 2020's name or any Released Party's trademark or service mark, including but not limited to, NYC Mayor's Office of the Census 2020's trademark or service mark.

**WARRANTIES:** By submitting an Entry, You represent and warrant that Your Submission:

1. is Your own original work;
2. does not contain material that is, in Sponsor's sole judgment, obscene, inappropriate for a general audience that may include minors, or defamatory;
3. does not violate or infringe upon the copyrights, trademarks, rights of privacy, publicity or other rights of any person or entity;
4. does not contain malicious code, such as viruses, timebombs, cancelbots, worms, Trojan horses or other potentially harmful programs or other material or information;
5. does not feature the name of a private individual without that individual's explicit written permission for its use;
6. does not and will not violate any applicable law, statute, ordinance, rule or regulation; and
7. does not trigger any reporting or royalty obligation to any third party.

You further represent and warrant that the rights that You are granting under these Official Rules do not conflict in any way with any other agreement to which You are a party, or with any commitments, restrictions, or obligations that You are under to any other person or entity.

### **Entry Conditions and Release**

By entering, You agree to: (a) comply with and be bound by these Official Rules and the decisions of the Sponsor and/or the Competition judges which are binding and final in all matters relating to this Competition; (b) release and hold harmless the Sponsor, Grubhub Holdings Inc. ("Prize Supplier") and any other organizations responsible for sponsoring, fulfilling, administering, advertising or promoting the Competition, including any business where the Prize is used, and all of their respective past and present officers, directors, employees, agents and representatives (collectively, the "Released Parties") from and against any and all claims, expenses, and liability, including but not limited to negligence and damages of any kind to persons and property, including but not limited to invasion of privacy (under appropriation, intrusion, public disclosure of private facts, false light in the



public eye or other legal theory), defamation, slander, libel, violation of right of publicity, infringement of trademark, copyright or other intellectual property rights, property damage, or death or personal injury arising out of or relating to a Your entry, creation of an entry or submission of an entry, participation in the Competition, acceptance or use or misuse of prize (including any travel or activity related thereto or any damages allegedly caused by any business at which the Prize is used) and/or the broadcast, transmission, performance, exploitation or use of entry; and (c) indemnify, defend and hold harmless the Released Parties from and against any and all claims, expenses, and liabilities (including reasonable attorneys fees) arising out of or relating to Your participation in the Competition and/or Your acceptance, use or misuse of prize.

### **Publicity**

Except where prohibited, participation in the Competition constitutes Winner's consent to the Released Parties' and their agents' use of Winners' name, likeness, photograph, voice, opinions and/or hometown and state for promotional purpose in any media, worldwide, without further payment or consideration.

### **General Conditions**

The Released Parties reserve the right to cancel, suspend and/or modify the Competition, or any part of it, if any fraud, technical failures or any other factor beyond the Released Parties' reasonable control impairs the integrity or proper functioning of the Competition, as determined by the Released Parties in their sole discretion. The Released Parties reserve the right in their sole discretion to disqualify any individual or Competitor it finds to be tampering with the entry process or the operation of the Competition or to be acting in violation of these Official Rules or any other promotion or in an unsportsmanlike or disruptive manner. Any attempt by any person to deliberately undermine the legitimate operation of the Competition may be a violation of criminal and civil law, and, should such an attempt be made, the Released Parties reserve the right to seek damages from any such person to the fullest extent permitted by law. The Released Parties' failure to enforce any term of these Official Rules shall not constitute a waiver of that provision. The Released Parties are not responsible for, nor are they required to count, incomplete, late, misdirected, damaged, unlawful or illicit Submissions, including Submissions achieved through automated means or by registering more than one e-mail account and name, using another contestant's e-mail account and name, as well as those lost for technical reasons or otherwise.

### **Limitations of Liability**

The Released Parties are not responsible for: (1) any incorrect or inaccurate information, whether caused by entrants, printing errors or by any of the equipment or programming associated with or utilized in the Competition, (2) technical failures of any kind, including, but not limited to malfunctions, interruptions, or disconnections in phone lines or network hardware or software; (3) unauthorized human intervention in any part of the entry process or the Competition; (4) technical or human error which may occur in the administration of the Competition or receipt or use of any prize; or (5) the quality and actions of any business at which a Winner uses the Prize and any damages that may allegedly arise out of any use of the Prize.

If for any reason an entrant's Submission is confirmed to have been erroneously deleted, lost, or otherwise destroyed or corrupted, entrant's sole remedy is another provide another Submission. No more than the stated number of prizes will be awarded.

### **Disputes**

You agree that: (1) any and all disputes, claims and causes of action arising out of or connected with this Competition, or any prizes awarded, other than those concerning the administration of the Competition or the determination of winners, shall be resolved individually, without resort to any form of class action; (2) any and all disputes, claims and causes of action arising out of or connected with this Competition, or any prizes awarded, shall be resolved exclusively by the United States District Court or the appropriate New York State Court; (3) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering this Competition, but in no event attorneys' fees; and (4) under no circumstances will entrant be permitted to obtain awards for, and entrant hereby waives all rights to claim punitive, incidental and consequential damages and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. SOME JURISDICTIONS DO NOT ALLOW THE LIMITATIONS OR EXCLUSION OF LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES, SO THE ABOVE MAY NOT APPLY TO YOU. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of You and Released Parties in connection with the Competition, shall be governed by, and construed in accordance with, the laws of the State of New York, without giving effect to any choice of law of conflict of law rules (whether of the State of New York or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the State of New York.

### **Privacy**

Sponsor may collect personal information from You when You enter the Competition. The information collected is subject to the privacy policy located [here](#). The Competition is in no way affiliated with the United States Census Bureau. Any information you provide as a part of your Submission is not covered by Title 13 of the United States Code.

### **Competition Results**

For Competition results go to [www.nyc.gov/censuscontest](http://www.nyc.gov/censuscontest) beginning on or about August 28, 2020.

### **Sponsor**

NYC Mayor's Office of the Census 2020, 161 William Street, 7th Floor, New York, NY 10038

## EXHIBIT 12



# How to Craft Your NYU Entrepreneurs Challenge Application Deliverables

*2021-22*



Berkley Center for  
Entrepreneurship

IDEAS  
NEVER  
SLEEP

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## Contact us:

*Please note that all programming and services will be virtual until further notice.*

Berkley Center for Entrepreneurship  
www.NYUSternBerkleyCenter.com | @NYUinnovation  
entrepreneurship@stern.nyu.edu



Berkley Center for  
Entrepreneurship



## Overview

Dear NYU Entrepreneur,

We are delighted you plan to apply to the Entrepreneurs Challenge startup accelerator. This document will help you prepare your application by guiding you through critical questions that should be addressed. Applications will be screened based on the following 2 components:

### 1 / Concept Summary

Your Concept Summary must answer three critical questions:

1. Who will care whether or not this venture exists? (customers/market)
2. Why will they care? (value proposition/competition)
3. How do you know? (research insights)

Your idea will be evaluated not only on the basis of its promise but also on the *proof* provided that this is a unique and compelling solution meeting a sizeable and well-defined market need. To do this, you must:

- Demonstrate a deep understanding of your industry, market, and customer based on extensive secondary *and* primary research you have conducted.
- Explain why customers will find your product or service *significantly* better than your competitors' and/or existing options.
- Have developed at least an early, low-fidelity prototype – unless your concept is centered around a technology for which a prototype would require a particularly extensive time investment.
- Articulate critical risks that you have identified and how you will mitigate them.

Teams successful in gaining admission to the NYU Entrepreneurs Challenge will have demonstrated an ability to improve the lives of their customers, and potentially even benefit society, in some consequential way. Entrepreneurs Challenge startups may or may not be social impact ventures, but all are world positive.



Before you begin, keep in mind the following:

- **Do not treat writing the Concept Summary like an academic exercise** by simply answering the questions asked. These questions should serve as prompts for thinking deeply about your concept. Use them to craft a riveting story about your idea's potential.
- The Concept Summary is a high-level document. It's not meant to be all-encompassing. Teams accepted into the program will be required to describe their ventures in far greater detail at a later stage.
- Some questions will be more applicable to your concept than others. No need to address issues that aren't important factors for your specific venture. (See the first bullet above.)

## 2 / Video

In addition to your written Concept Summary, you must submit a video (5 minutes maximum) that further makes the case for why your idea is a great one. The video, in conjunction with the Concept Summary, should help the evaluators buy into your vision and believe in your idea's future success.

Good luck!

The Berkley Center Team

# Submission Instructions

Please follow these instructions EXACTLY as described. No exceptions. Failure to do so could result in your Concept Summary not being evaluated.

## Format – Concept Summary

Your submission must not exceed 7 pages and should be structured as follows:

Component	Page Count	Limits/Maximums
Cover Sheet	1	100 words for Venture Description
Main Body	3-4	1,350 words for Sections A-E; NO visuals/graphics
Appendix	0-2	Visuals/graphics ONLY; optional
Full Document	4-7	

The document must be formatted for letter-sized paper with **11-point type, 1.15 line spacing, and 1” margins** on all sides.

TIP: Sample Concept Summary formats can be found [here](#).

## Format – Video

Your video must not exceed 5 minutes. Acceptable file formats are mp4 and mov.

## How to Submit

- Submit materials online at <http://nyusternberkleycenter.smapply.io> starting 9/30/2021.
- All materials must be submitted by **11:59 pm on Wednesday, November 03, 2021**.

# Cover Sheet

Page 1 of your document should be a Cover Sheet that includes:

- Your venture name
- Your logo, if you have one (optional)
- Your team members' names
- A high-level description or summary of your venture concept that is no longer than 100 words

# Main Body

The Main Body of your Concept Summary is the focal point of the document. It should address the five areas described below. Weights for each of the five areas are included.

Again, your Concept Summary should not be a list of responses to these questions. Some won't be relevant to you! Use the questions as a guide for developing a convincing narrative around your venture idea's potential.

## A. Opportunity (20%)

### Status Quo

- What is the existing problem/condition/need your product or service addresses?
- How/why is the status quo currently frustrating to your target customers?
- Who has this problem/need most acutely and is actively in search of a solution to it?
- Why does it matter that this problem/need/condition be addressed? Is there a significant benefit to these customers and/or society to altering the status quo?

### Research Insights

- What primary research did you conduct to better understand customer behaviors and motivations? What insights did you gain?
- Why does the marketplace gap (i.e., need, want, problem or pain) that you've identified persist?
- Why haven't others successfully addressed this need/gap before? Why you? Why now?

### Technology and Intellectual Property

- Is there proprietary technology at the core of this idea? If so, describe this technology.
- Who owns the IP? What intellectual property (IP) protection currently exists (patent, copyrights, etc.)?
- What is the background of the invention? Who are the principal investigators/developers?
- What is the state of the technology today, e.g., idea/concept, in research, proof of concept, working prototype, product in development, in trials, etc.?

## B. Market Analysis (15%)

### Market Size & Trends

- What is the size of the market? How big is this opportunity?
- What are the primary market segments?
- Is this market growing significantly with strong prospects for future growth? What's the basis of this conclusion?
- What trends, e.g., industry, market, social, cultural, technological, regulatory, etc. are impacting this growth?

### Competitive Landscape

- Describe your primary competitors. What are their strengths and weaknesses?
- How will you distinguish yourself from existing alternatives?
- What will be the basis of your competitive advantage? Will you be able to erect a moat around your business?

## C. Solution (30%)

### Value Proposition

- Briefly describe your product/service.
- How will your product/service delight customers?
- What unique and quantifiable value will customers derive from your product/service?
- How will your product/service enhance the way people live, work, do business or play?

### Impact

- Are there specific and significant benefits that will accrue to society by launching your product/service? Describe any broader consequential impact your concept will have.

### Customer Segments

- Who will be ecstatic that your product/service exists and why?
- Describe your initial target customer segments using relevant demographic, psychographic, and/or behavioral characteristics.

### Problem/Solution Fit

- What evidence do you have that your product/service will meet the needs or solve the problems of your target customers? Explain your confidence.
- Why will they prefer your offering to existing alternatives?
- Explain how your research lead you to this conclusion.
- What pass/fail experiments did you run to verify your assumptions about the market potential?



### Revenue Model

- Describe how you will make money, i.e., what you will charge for, how much, and who is going to pay you.
- How will your pricing compare to existing options?

## D. Milestones (20%)

### Status & Traction

- What's your current status? Describe milestones achieved so far, e.g., product development milestones, alpha or beta testing, prototypes, users/customers acquired, letters of intent received, orders received, etc.?
- What additional product development is required to deliver the first (or next) version of your product/service?

### Critical Risks

- What key resources and partnerships must be in place to produce or manufacture your product/service?
- What legal or regulatory issues could adversely impact the business? What regulatory approvals are required? How long will these approvals take?
- What are the key technical hurdles and milestones that must be overcome to bring your product/service to market?

## E. Team (15%)

### Founders

- Briefly describe the relevant experience, skills, education, and qualifications of each team member. Highlight prior startup experience or related industry expertise.
- Explain the primary role each person will play.

### Advisors

- List key advisors who are lending their expertise (and not simply their names) to the management team. This may include an advisory board, board of directors, or professional service providers, e.g., lawyer, accountant, consultants, etc.

## Appendix (optional)

You may submit a maximum of 2 pages of supporting **visual** (not written) information about your venture concept. DO NOT use these optional pages to add more text to your Concept Summary. Examples of images and visuals that may help you to better convey your idea include, but are not limited to:

- Product images and/or illustrations
- Diagrams
- Screen shots
- Wireframe images

## Video

Your 5-minute video should not be a mere regurgitation of your Concept Summary. Rather, it should supplement the Concept Summary and provide additional color that can't be expressed in a written document

For instance, it could include but is not limited to:

- An explanation or demonstration of the underlying technology, if any
- How this idea will have a significant positive impact on its customers and/or society
- A discussion of the idea's genesis or what compelled you to start your business
- An introduction to your team
- An overview of any traction your team has already gained

The video and Concept Summary should work together to convince the reader of your venture concept's potential.

# EXHIBIT 13

## NYU Entrepreneurs Challenge Eligibility Statement

The following eligibility statement applies to participants in all competition tracks of the NYU Entrepreneurs Challenge.

### Eligibility Requirements

#### 1. Team Composition

The NYU Entrepreneurs Challenge (the “Challenge”) is for current NYU students, all NYU alumni, current faculty members and researchers as well as, current NYU staff and employees.

To compete in the Challenge, teams **must** have at least one of the following: an NYU student currently enrolled in a degree-seeking program, a current NYU faculty member, a current NYU researcher, a current NYU staff/employee, or an alumnus/a of any NYU degree program (hereinafter referred to as the “NYU representative”).

Individuals not affiliated with NYU at all may be members of the venture’s management team.

#### 2. NYU Representative’s Role

- (a) The NYU representative **must** be and remain an active participant in the venture and on the team throughout the entire competition. The NYU representative must play a significant role in developing and presenting the venture concept throughout the Challenge.
- (b) The NYU representative **must** intend to play a material and ongoing role in the day-to-day operations of the venture following the Challenge, as determined by the Berkley Center for Entrepreneurship in its sole discretion.
- (d) The NYU representative **must** intend to occupy a leadership position with the venture for at least 2 years upon completion of the Challenge. The NYU representative is expected to be meaningfully engaged with the launch and growth of the company.

#### 3. Concept Requirement

Competition prizes are intended for plans that the judges believe can become viable, operating businesses of significant economic scale. Well-articulated milestones will be a critical evaluation criteria in assessing the distribution of competition prizes.

Consultancies, franchises, real estate syndications and nonprofits are not eligible to compete.

Any concept deemed to be in bad taste as determined solely by the Berkley Center for Entrepreneurship will be ineligible to compete. Concepts that promote or enable any illegal activities will not be considered for entry.

#### 4. Funding Considerations

- (a) Prior Funding. Teams that have raised less than \$1,000,000 in diluted funding tend to derive the most benefit from participation in the Challenge. However, those which have received more than \$1,000,000 in funding are welcome to apply.



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## 5. Re-Entrants

If a participant previously entered the Challenge or any related Berkley Center for Entrepreneurship competition and advanced to the Final Round, he/she/they may re-enter **only** with a substantially different venture idea, as determined by the Berkley Center for Entrepreneurship in its sole discretion.

## 6. Multiple Concepts

Individuals may apply to the Challenge with more than one venture concept. However, individuals may not participate as a member of more than one team once accepted into the program.

## 7. Concept Revisions

Teams are fully expected to revise, refine, and improve their venture concepts and business models during the course of the Challenge. However, once a team advances through a judging round, any further revisions, refinements, or improvements to the venture concept must be limited to modifications that do not result in a wholly or dramatically different idea. Submissions of venture concepts materially unrelated to the venture concept presented by a team for judging, as determined by the Berkley Center for Entrepreneurship, will not be accepted.

## 8. Intellectual Property

Venture plans and all presentation materials must be the original work of team members. Team members are responsible for ensuring that the venture owns or has the right to use any intellectual property included in its venture plans and materials. Each team is responsible for:

- (a) protecting the intellectual property of the venture, which will include having all principals, employees, consultants, and other involved persons sign an intellectual property assignment agreement and non-compete agreement reasonably acceptable to NYU.
- (b) setting protocols to define procedures should the team disband, including appropriate protective provisions in your team entity's bylaws or operating agreement.

## 9. Signature required

All venture concepts wishing to apply to the NYU Entrepreneurs Challenge must be submitted to the Berkley Center for Entrepreneurship with a signed Eligibility Statement that certifies adherence to these eligibility criteria.



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**Acknowledged by each team member.** Please do not leave any blank lines. Use "N/A" to indicate that which does not apply.

**Venture/Team Name:** \_\_\_\_\_

**Full Name**

Email

NYU Affiliation

Position/Title/Role

Ownership/Equity Percentage in Venture (if decided)

Signature

Date

**Full Name**

Email

NYU Affiliation (if any)

Position/Title/Role

Ownership/Equity Percentage in Venture (if decided)

Signature

Date

**Full Name**

Email

NYU Affiliation (if any)

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